



UNITED STATES DISTRICT COURT

for the

District of

Division

Gail H. CLAYTON
Thomas A. CLAYTON

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Alexander WELLS
Allyson P. WELLS

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

1:22CV908

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Gail H. CLAYTON
204 Greendale Dr.
Rustburg, Virginia Campbell Co.
Virginia 24588
336-261-8878
jac584@20h.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Alexander Welhs
416 Benjamin Court
Burlington Alamance Co.
North Carolina 27215

Defendant No. 2

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Allyson Parker Welhs
416 Benjamin Court
416 Benjamin Court
Burlington Alamance Co.
North Carolina 27215

Defendant No. 3

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

Defendant No. 4

Name
Job or Title *(if known)*
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address *(if known)*

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

United States Amendment XIII
22 USC 7102(a)

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Gail Clayton, is a citizen of the
State of (name) Virginia.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) Alexander Wehls, is a citizen of
the State of (name) North Carolina. Or is a citizen of
(foreign nation) _____.

GAIL CLAYTON
416 BENJAMIN COURT
C/O P.O. BOX 170
BURLINGTON, NC 27216

Plaintiff No. 2. & Diversity of Citizenship
Thomas A. Clayton
204 Greendale Dr
Rustburg, Campbell Co.
Virginia
336-261-8301
Jac584@aol.com

Defendant no 2.
Allyson P. Wells
416 Benjamin Court
Burlington, NC
27216

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

Our real property home was appraised in 1991 for \$482,000. with 31 years of appreciation.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

our 41 years of marriage (equity stripping)
Defendants are using Adverse Possession Scheme and Refuse to leave. They have fake documents.
INVOLUNTARY SEIZURE of our 41 year marriage
We bought this lot in July 1991 and built a all brick home of 4600 square feet plus basement. We were illegally removed in June 2014 by corrupt cops. Defendant No 2 father is in local law enforcement. We have twice tried to remove Defendant by eviction + notices + physical verbal attacks. February 2016, November 2015, November 21, 2016.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

We are asking for an injunction to remove these defendants from our home where we lived for 23 years. We also ask for any further relief the Court finds just.

Thomas A. Clayton
Gail Clayton
204 Greendale Drive
Rustburg, Virginia 24588

October 24, 2022

JUDICIAL NOTICE

In summary, we borrowed no more than \$259,000.00 on our home loan. In 1991, we took a mortgage loan with Central Carolina Bank [CCB] in Burlington, on a 20-year loan with a fixed rate of 5.5% and paid back no less than \$493,000.00. According to the North Carolina Secretary of State CCB did not exist after the year 2000. The \$259,000 includes \$58,000. we borrowed in April 2003 to pay other debts. This was through First Carolina Mortgage Company in Greensboro alleging to be the lender and payment was to be through Branch Banking and Trust [BB&T]. The Security Exchange Commission has revealed that BB&T did not exist until 2013. An imposter filed a non-judicial foreclosure in 2013, but we never had a Notice or a hearing. This property, 416 Benjamin Court, Burlington, NC 27215 has been in our name since July 1991 and has remained in our name. A Lynchburg, VA lawyer has also researched. In a nutshell, we borrowed a total of \$258,000 odd dollars and paid no less than \$493,000 and I have my bank statements as proof.

We are claiming that the defendants moved into our home in November 2015, we have several Notices filed at the Alamance County Registrar of Deeds office giving public Notice of our ownership to this property. The Wells defendants are trying to steal our 41 years of marital equity through an adverse possession scheme. Also, we claim defendants actions are elderly exploitative in nature. We paid in full for our property.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Oct. 24, 2022

Signature of Plaintiff

Printed Name of Plaintiff

Gail Clayton Tom Clayton
Gail Clayton

Tom Clayton

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

